

Atty. Docket No. JP919990158
(590.034)

REMARKS

Applicants and the undersigned are most grateful for the time and effort already accorded the instant application by the Examiner. This Preliminary Amendment, concomitant with the filing of a Request for Continued Examination, addresses issues cited by the Office in the Action dated May 20, 2003. Care has been taken to avoid the introduction of new matter.

The claimed invention addresses the situation where a telephone call is placed from a browser equipped phone to another browser equipped phone while viewing a web page, the called screenphone does not answer, and the URL of the web page being viewed needs to be communicated to the called party for later viewing such that the URL need not be manually entered by the called party. (Specification, Page 2, lines 8-14; Page 3, line 9 to Page 4, line 2)

Claims 1-15 were pending in the instant application at the time of the Office Action dated May 20, 2003. Claims 1-15 stand rejected under 35 U.S.C. 103 over Noonan et al. in view of Silverman. Reconsideration and withdrawal of the present rejection is hereby respectfully requested.

A 35 U.S.C. 103(a) rejection requires that the combined cited references provide both the motivation to combine the references and an expectation of success. Not only is there no motivation to combine the references, no expectation of success, but actually

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combining the references would not produce the claimed invention. Thus, the claimed invention is patentable over the combined references and the state of the art.

The Examiner has admitted that neither of these references describe the invention but claims that combination of these teachings would be obvious to a person skilled in the art. This is not supported by the references.

Noonen et al. discloses browsing the Internet using a telephone having a key pad with keys for generating DTMF codes. The Examiner acknowledges that "Noonen fails to disclose a receiver, an answerer and a decoder" (Office Action at 3)

Silverman discloses a system wherein a message is recorded, a web page is created, and the recipient is notified of the web page where the message may be viewed. However, the Examiner's characterization of Silverman as "teaching a receiver ... which receives a URL" (Office Action at 3) is insufficient on its face to 35 U.S.C 103(a) rejection. The fact is that Silverman discloses a web messaging device which "generates a web page". (Col. 2, line 43) Silverman thus does not provide a teaching or suggestion of the instant claims. A combination of Noonan et al. and Silverman fails to teach or suggest the instantly claimed invention.

The instantly claimed invention requires "a receiver adapted to receive a URL and associated voice message transmitted from the outside through an incoming telephone call" (Claim 1; similar language appears in method Claims 8 and 15) In Silverman the web messaging device does not "receive a URL and associated voice message transmitted

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from the outside". Rather, the web messaging device itself generates the web page or URL. Clearly, receiving a message (Col. 3, lines 13-15) and then generating a web page (URL) and password which correspond to the message (Col. 3, lines 16-19) is not the same as "receiv[ing] a URL and associated voice message transmitted from the outside."

Combining Noonan et al. and Silverman then would result in using a telephone to leave a voice message where the message could be accessed at a generated web page. Even if there were a motivation for the combination, this combination does not teach or suggest the claimed invention.

In view of the foregoing, it is respectfully submitted that Claims 1, 8, and 15 fully distinguish over the applied art and are thus allowable. By virtue of dependence from Claims 1 and 8, it is respectfully submitted that Claims 2-7 and 9-14 are also allowable.

In summary, it is respectfully submitted that the instant application, including Claims 1-15, is in condition for allowance. Notice to the effect is hereby earnestly solicited. In the unlikely event the Office does not agree the application is in condition for allowance, Applicants respectfully request an interview with the Examiner prior to the

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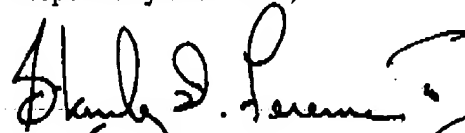
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next Office Action in this case. Applicants respectfully submit an interview is proper at
this time under MPEP § 713.02.

Respectfully submitted,



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